IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 77 OF 2005

SHRI SUSAI RAJU ....Applicants

Versus

STATE ....Respondents

Mr. Mariano D'souza, Advocate For The Applicant.
Mr. S. N. Sardessai, Public Prosecutor For The Respondent.

Coram:- N. A. BRITTO, J.

Date:- 25th May, 2005

P.C.

Heard Mr. Mariano D'Souza, the learned advocate on behalf of the appellant/accused and Mr. S. N. Sardessai, the learned Public Prosecutor on behalf of the respondent. The applicant/accused has been convicted in Special Criminal Case No.3/2003 under Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 2001, to undergo two years of R.I. and a fine of Rs.20,000/- and in default to undergo further one month of R.I. Mr. D'Souza submits that the said accused was on bail throughout the trial before the learned Special Judge of the N.D.P.S. Court, Mapusa and that he has a good case of succeeding in the appeal. Considering that the applicant/accused was on bail throughout the trial of the case, this would be a fit case to suspend the sentence imposed upon the accused by the learned Special Judge, N.D.P.S. Court, Mapusa, pending the hearing and final disposal of the appeal. Consequently, the execution of the sentence imposed upon the accused by the learned Special Judge vide her Judgment/Order dated 16th/21st May, 2005, shall be stayed upon the said accused executing a bond of Rs.10,000/- (rupees ten thousand only) with one surety in the like amount, to the satisfaction of the learned Special Judge, N.D.P.S. Court, Mapusa.